

# CENTRAL LAND OFFICE

Montana Wildlife Federation, Larry Copenhaver contacted the DNRC/CLO manager Garry Williams by phone and expressed concern over selling any parcels that are legally accessible. He felt that the intent of the Land Banking rule committee was not to sell any parcels with legal access. *Response: Garry referred to 77-2-363(1)(a) MCA, that requires 75% of the acreage cumulatively sold must be isolated parcels that don't have legal public access. This would infer that the remaining 25% of the acreage sold could be legally accessible. Garry also discussed the future acquisitions (Tupper Lakes and DeBruycker Farm), and received a favorable response from Mr. Copenhaver on those acquisitions.*

Written comments were received from FWP biologist, Gary Olson, concerning selling parcels in T31N R3E, Toole County that are accessible from Highway 2, for recreational purposes. *Response: Erik Eneboe, DNRC Conrad Unit manager conducted a field inspection of these parcels with Gary Olson. They agreed that some of the parcels would be suitable for sale and 3 tracts would be withdrawn as potential sales.*

FWP general comments on not selling state land which is available to the general public for recreational purposes. *Response: Legally accessible parcels being considered for sale are due to the small size, location or configuration, and these parcels provide little public recreational or Trust value.*

**LAND BOARD AGENDA ITEM**  
April 21st, 2008

**PRELIMINARY APPROVAL FOR SALE OF LAND BANKING  
PARCELS**

**CENTRAL LAND OFFICE**

	<u>Parcels</u>	<u>Acres</u>	<u>Isolated Acres</u>
Pondera County	5	346.29	160.0
Teton County	6	600	0
Toole County	26	1830.92	1360.0
<b>Total</b>	<b><u>37</u></b>	<b><u>2777.21</u></b>	<b><u>1520.0</u></b>

**LAND BOARD AGENDA ITEM**  
**April 21st, 2008**

**PRELIMINARY APPROVAL FOR SALE OF LAND BANKING  
PARCELS #25, 26, 58, 59 & 298  
PONDERA COUNTY**

**Seller:** State of Montana, Department of Natural Resources and Conservation

**Nominators:** Parcels 25 & 26 – Lessee, Diamond D Angus Inc.  
Parcel 58 - Lessee, Christiaens Brothers Farm Inc.  
Parcel 59 - Lessee, Sheble Ranch Inc.  
Parcel 298 - Lessee, Hovland, Marie A. & Elena G.

**Location:** Parcels 25 &26 – Twenty-two mile west of Conrad  
  
Parcel 58 – Eight miles north of Conrad, west of Interstate 15  
  
Parcel 59 – Twenty-two miles northwest of Conrad  
  
Parcel 298 – Thirty-two miles west of Conrad

**Property Characteristics:** Parcels 25 &26 – Adjoining 80 acre parcels leased for grazing, with areas of saline present.  
  
Parcel 58 – Low value grazing land with very little recreational value due low productivity and open terrain.  
  
Parcel 59 – Odd configured parcel, 8 acres of CRP land, 8 acres of tame pasture, the rest of the parcel is grazing land.  
  
Parcel 298 – Small parcel of low productivity grazing, annual lease income is approximately \$75.

**Access:** Parcels 25 &26 - The parcels are entirely surrounded by private lands and are not legally accessible.  
  
Parcel 58 – Legally accessible via a county road which briefly touches the corner of an adjoining section. This 40 acre parcel is fenced separately from

adjacent state lands, and is incorporated into the adjacent private lands. Consequently it is difficult to determine where the state land is located.

Parcel 59 – Legally accessible for recreational purposes only by walking about 1 mile between the high water marks of Birch Creek and ascending the steep slopes of the breaks to the state land. This parcel has very little recreational value due to its relatively small size and irregular configuration.

Parcel 298 - Legally accessible but has very little recreational due to its small size and low grazing productivity.

County	Sale #	# of Acres	Legal	Trust
Pondera	25	80	E½NE¼, Section 19, T29N-R6W	Common School
Pondera	26	80	W½NW¼, Section 20, T29N-R6W	Common School
Pondera	58	40	SW¼SW¼, Section 9, T29N-R3W	Common School
Pondera	59	106.29	Lots 2,3,4,5, Section 23, T30N-R6W	Common School
Pondera	298	40	SW¼SE¼, Section 5, T28N-R8W	Common School
<b>Total Acres</b>		<b>346.29</b>		

**MEPA Issues:** None Identified

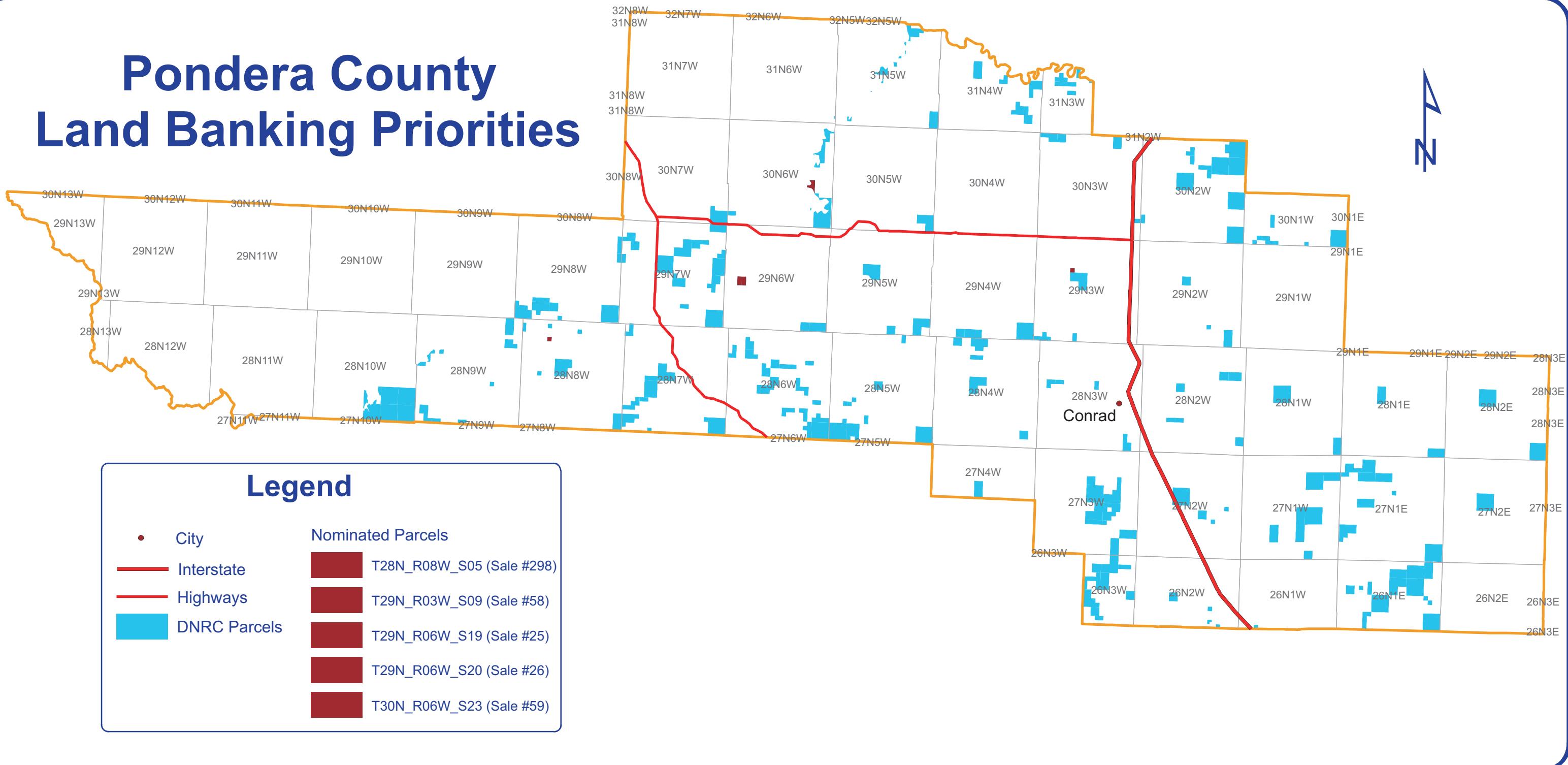
**Recommendation:** The Director recommends that the Board give preliminary approval to sell Parcels # 25, 26, 58, 59 & 298.

# Pondera County Land Banking Priorities



## Legend

- City
  - Interstate
  - Highways
  - DNRC Parcels
- Nominated Parcels
- T28N\_R08W\_S05 (Sale #298)
  - T29N\_R03W\_S09 (Sale #58)
  - T29N\_R06W\_S19 (Sale #25)
  - T29N\_R06W\_S20 (Sale #26)
  - T30N\_R06W\_S23 (Sale #59)



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**LAND BOARD AGENDA ITEM**  
**April 21st, 2008**

**PRELIMINARY APPROVAL FOR SALE OF LAND BANKING  
PARCELS # 28, 526, 527, 39, 40 & 60  
TETON COUNTY**

- Seller:** State of Montana, Department of Natural Resources and Conservation
- Nominators:** Parcels 28, 526, & 527 - Lessee, Lyman R Denzer  
Parcels 39 & 40 - Lessee, Deep Creek Ranch and Management Company  
Parcel 60 - Lessee John A Burgmaier
- Location:** Parcels 28, 526, & 527 - Located 6 miles east of Power.  
Parcels 39 & 40 – Are located 22 miles west southwest of Chouteau.  
Parcel 60 - Is located 8 miles west of Brady.
- Property Characteristics:** Parcels 28, 526, & 527 – Grazing land that is an integral part of the Denzer Ranch and has improvements associated with their calving operation and offer little recreational value.  
Parcels 39 & 40 - These are two contiguous parcels of grazing land. They are mostly outside of the creek drainage, and offer little recreational opportunities due to the limited acreage and extremely steep slopes from the creek bottom to the bench lands above.  
Parcel 60 – Grazing land that is adjacent to other state lands however, the parcel is used by the ranch for calving purposes and has a calving barn and corral on the property.

**Access:**

Parcels 28, 526, & 527 - Three parcels all of which are legally accessible by either county road or by adjacent state lands. However, these lands offer very little recreational value due to the proximity to buildings, calving barn, corrals and feeding grounds.

Parcels 39 & 40 – These parcels are entirely surrounded by the Deep Creek Ranch and are only publicly accessible for recreational purposes by walking within the high water level of Deep Creek for  $\frac{1}{2}$  -  $\frac{3}{4}$  of a mile. There is little recreational value associated with the state lands due to the small acreage, proximity to the residences and extremely steep terrain from the stream bottom to the majority of the state lands.

Parcel 60 – Accessible via a county road. However, the state parcel is used by the ranch for calving purposes and has a calving barn and corral on the property. Consequently the state land offers very little recreational opportunity.

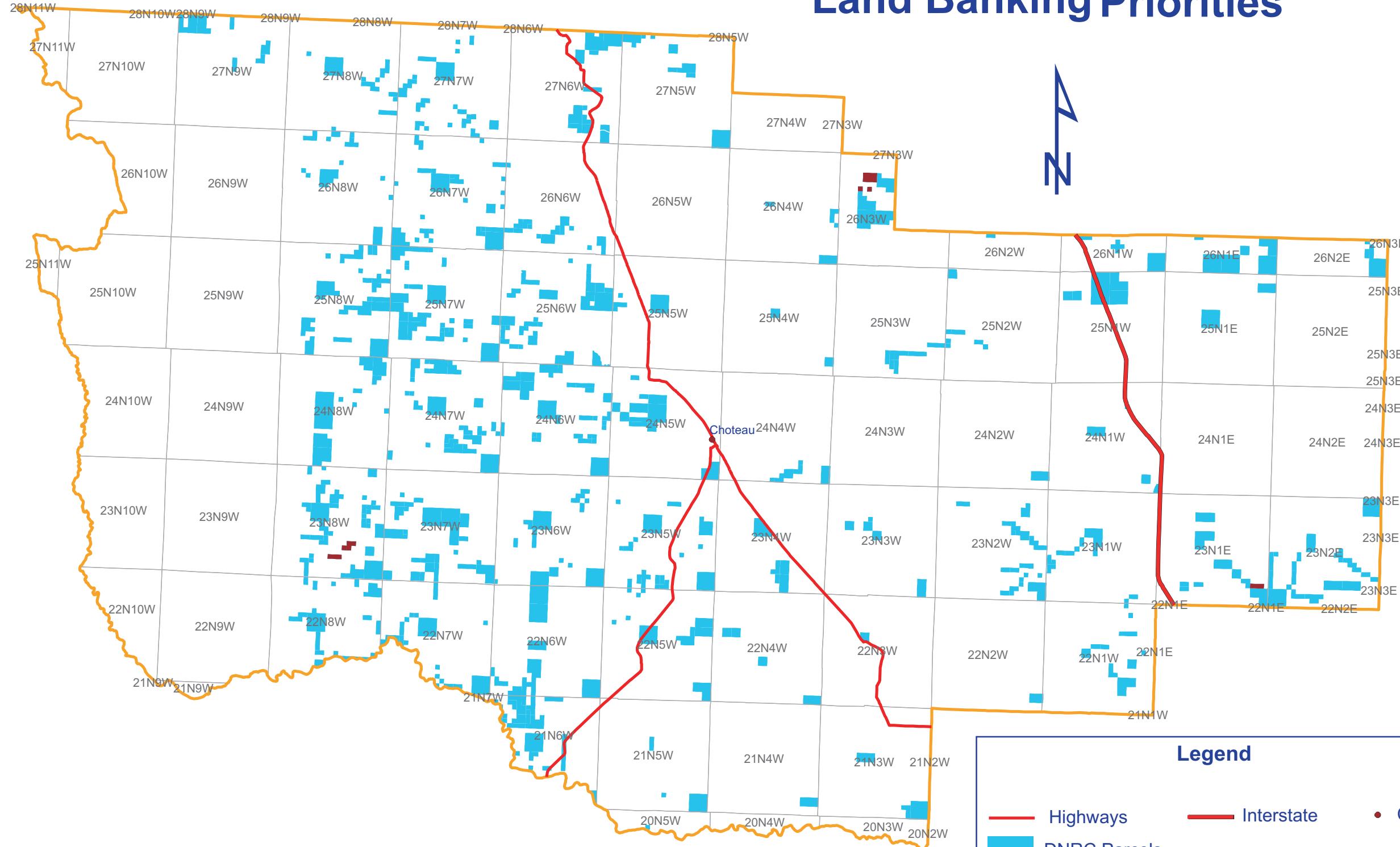
County	Sale #	# of Acres	Legal	Trust
Teton	28	240	NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , Section 8, T26N-R3W	Common School
Teton	526	40	SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 8, T26N-R3W	Common School
Teton	527	40	SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 8, T26N-R3W	Common School
Teton	39	40	SE $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 27, T23N-R8W	Common School
Teton	40	120	N $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , Section 26, T23N-R8W	Common School
Teton	60	120	SW $\frac{1}{4}$ SE $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , Section 25, T23N-R1E	State Normal School

**Total Acres**                    **600**

**MEPA Issues:**                    None Identified

**Recommendation:**                    The Director recommends that the Board give preliminary approval to sell Parcels # 28, 526, 527, 39, 40 & 60.

# Teton County Land Banking Priorities



## Legen

— Highway

Interstate

## • City

DNRC Parc

Nominated Parcel

T23N\_R01E\_25 (Sale #60)

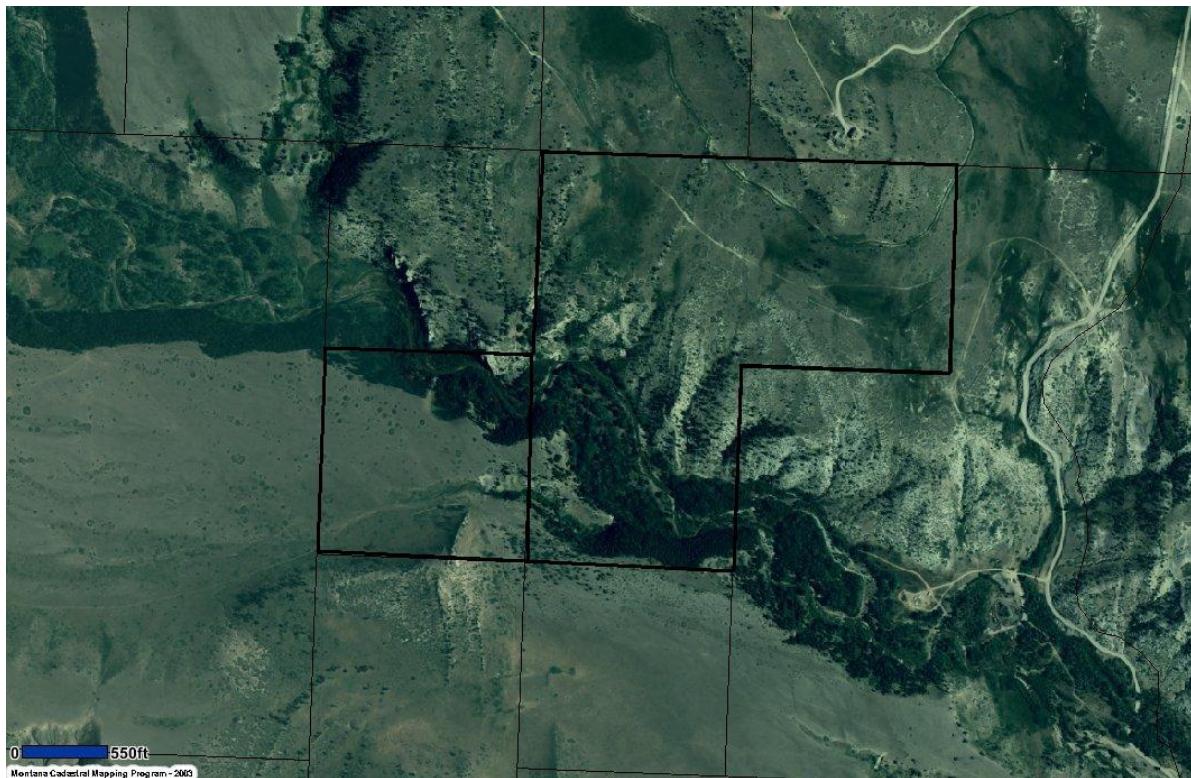
T23N R08W 27 (Sale #39)

T23N R08W 27 (Sale #39) T26N R03W 08 (Sale #28)

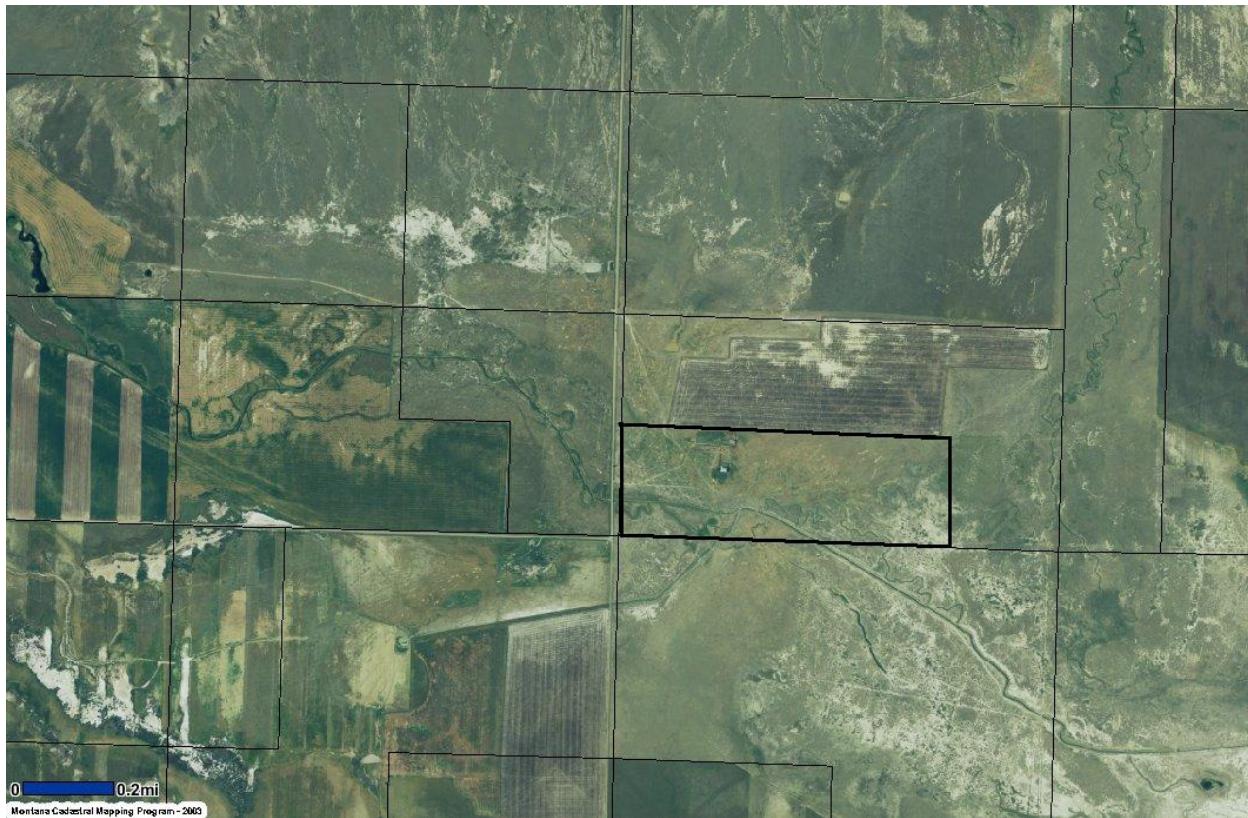
## Teton County Sales



Sale #'s 28, 526, & 527



Sale #'s 39 & 40



**Sale # 60**

**LAND BOARD AGENDA ITEM**  
**April 21st, 2008**

**PRELIMINARY APPROVAL FOR SALE OF LAND BANKING  
PARCELS # 8, 9, 10, 11, 74, 152, 153, 155, 154, 156, 243, 244,  
246, 248, 252, 254, 256, 247, 249, 522, 294, 295, 297, 523, 524 &  
525  
TOOLE COUNTY**

- Seller:** State of Montana, Department of Natural Resources and Conservation
- Nominators:** Parcels 8, 9, 10 & 11 - Lessee, Henry E McDermott  
Parcels 74, 152, 153, 155, 154 & 156 - Lessee, Gerald Smith  
Parcels 243, 244, 246, 248, 252, 254 & 256 – Lessees; Karl, Brian and Earnest Ratzburg  
Parcels 247, 249 & 522 - Lessee, West Butte Ranch, (Chuck and Sally Clark)  
Parcels 294, 295, 297, 523, 524 & 525 - Lessee Robert W. Parsell
- Location:** Parcels 8, 9, 10 & 11 - are located 21 miles northeast of Shelby.  
Parcels 74, 152, 153, 155, 154 & 156 - are located 21 miles east-southeast of Shelby.  
Parcels 243, 244, 246, 248, 252, 254 & 256 – are located 30 to 36 miles northeast of Shelby.  
Parcels 247, 249 & 522 - are located 32 miles northeast of Shelby.  
Parcels 294, 295, 297, 523, 524 & 525 – are located 34 miles northeast of Shelby.
- Property Characteristics:** Parcels 8, 9, 10, 11, 74, 152, 153, 155, 154 & 156 - All are leased for grazing, and have below average production when compared to Trust Lands across the

state. It is likely the grazing use would continue if the lands were sold.

Parcels 243, 244, 246, 248, 252, 254, 256, 247, 249, 522, 294, 295, 297, 523, 524 & 525 - These parcels have approximately average to slightly above average grazing values compared to trust lands across the state. Due to the small isolated configurations they are difficult for DNRC to manage, and are indistinguishable from the adjacent private land.

**Access:**

Parcels 8, 9, 10, 11, 243, 244, 246, 248, 252, 254, 256, 247, 249 & 522 - These parcels of grazing land are completely surrounded by private land and consequently are not accessible for recreational purposes without permission of the private land owner.

Parcels 74, 152, 153, 155, 154 & 156 - They are all accessible by Hwy 2, or via adjacent state land. Parcels north of Highway 2 are very close to the Ranch Headquarters, are integral parts of the ranch operation, and consequently provide no recreational opportunities.

Parcels 294, 295, 297, 523, 524 & 525 – All of the parcels are completely surrounded by private land. Most of the adjoining private land is under a conservation easement held by the US Fish and Wildlife Service. Robert Parsell has been a long time participant in the Block management program and the sale of the state parcels are not likely to change the recreational use in this vicinity.

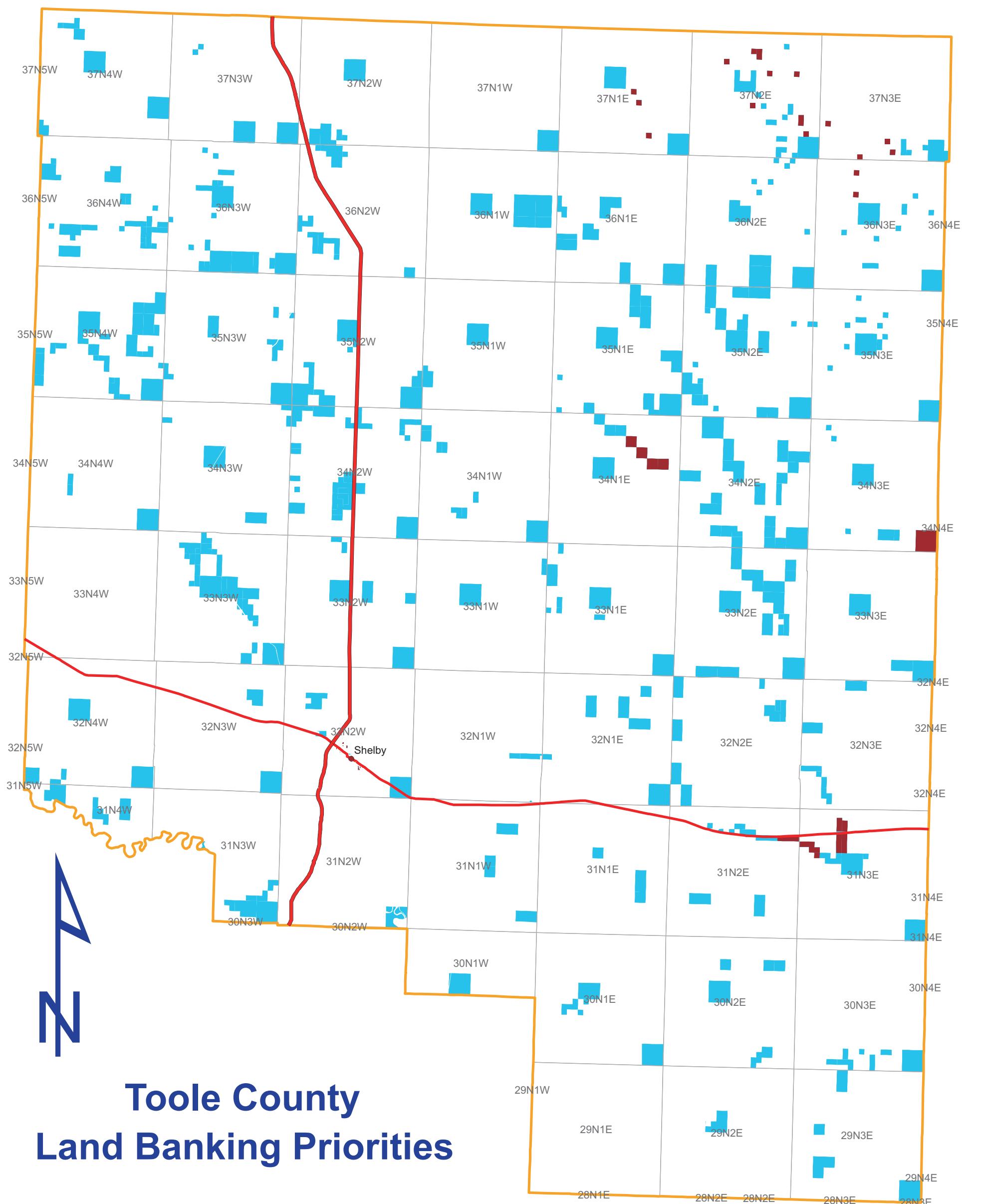
County	Sale #	# of Acres	Legal	Trust
Toole	8	160	NE $\frac{1}{4}$ , Section 10, T34N-R1E	Common Schools
Toole	9	160	SW $\frac{1}{4}$ , Section 11, T34N-R1E	Common Schools
Toole	10	160	NW $\frac{1}{4}$ , Section 13, T34N-R1E	Common Schools
Toole	11	160	NE $\frac{1}{4}$ , Section 14, T34N-R1E	Common Schools
Toole	74	194.64	Lot 3, SE $\frac{1}{4}$ SE $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 7, T31N-R3E	Public Buildings
Toole	152	9.64	Tract Lying North of the Highway Right-of-Way in NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 8, T31N-R3E	Public Buildings
Toole	153	80	S $\frac{1}{2}$ NE $\frac{1}{4}$ , Section 12, T31N-R2E	Public Buildings

Toole	155	80	W½SE¼, Section 4, T31N-R3E	Public Buildings
Toole	154	100	E½SE¼, S½SE¼NE¼, Section 5, T31N-R3E	Public Buildings
Toole	156	6.28	Tract Lying North of the Highway Right-of-Way in NW¼NW¼, Section 9, T31N-R3E	Public Buildings
Toole	243	40	NW¼SE¼, Section 8, T37N-R2E	Public Buildings
Toole	244	80	W½NW¼, Section 25, T37N-R2E	Public Buildings
Toole	246	40	NE¼NE¼, Section 9, T37N-R2E	Public Buildings
Toole	248	80	W½NW¼, Section 10, T37N-R2E	Public Buildings
Toole	252	40	NE¼NE¼, Section 14, T37N-R2E	Public Buildings
Toole	254	40	NW¼NE¼, Section 15, T37N-R2E	Public Buildings
Toole	256	40	NW¼NW¼, Section 22, T37N-R2E	Public Buildings
Toole	244	80	W½NW¼, Section 25, T37N-R2E	Public Buildings
Toole	247	40	NE¼NW¼, Section 22, T37N-R1E	Public Buildings
Toole	522	40	NW¼SE¼, Section 22, T37N-R1E	Public Buildings
Toole	249	40	NW¼NW¼, Section 35, T37N-R1E	Public Buildings
Toole	294	40	SE¼NW¼, Section 30, T37N-R3E	Public Buildings
Toole	295	40	NE¼SE¼, Section 8, T36N-R3E	Public Buildings
Toole	297	40	NW¼NW¼, Section 34, T37N-R3E	Public Buildings
Toole	523	40	NE¼SW¼, Section 34, T37N-R3E	Public Buildings
Toole	524	40	SE¼SE¼, Section 32, T37N-R3E	Public Buildings
Toole	525	40	NE¼SE¼, Section 5, T37N-R3E	Public Buildings

**Total Acres**                   **1830.92**

**MEPA Issues:**                   None Identified

**Recommendation:**                   The Director recommends that the Board give preliminary approval to sell Parcels # 8, 9, 10, 11, 74, 152, 153, 155, 154, 156, 243, 244, 246, 248, 252, 254, 256, 247, 249, 522, 294, 295, 297, 523, 524 & 525.



### Legend

- City
- Highway
- Interstate
- DNRC Parcels

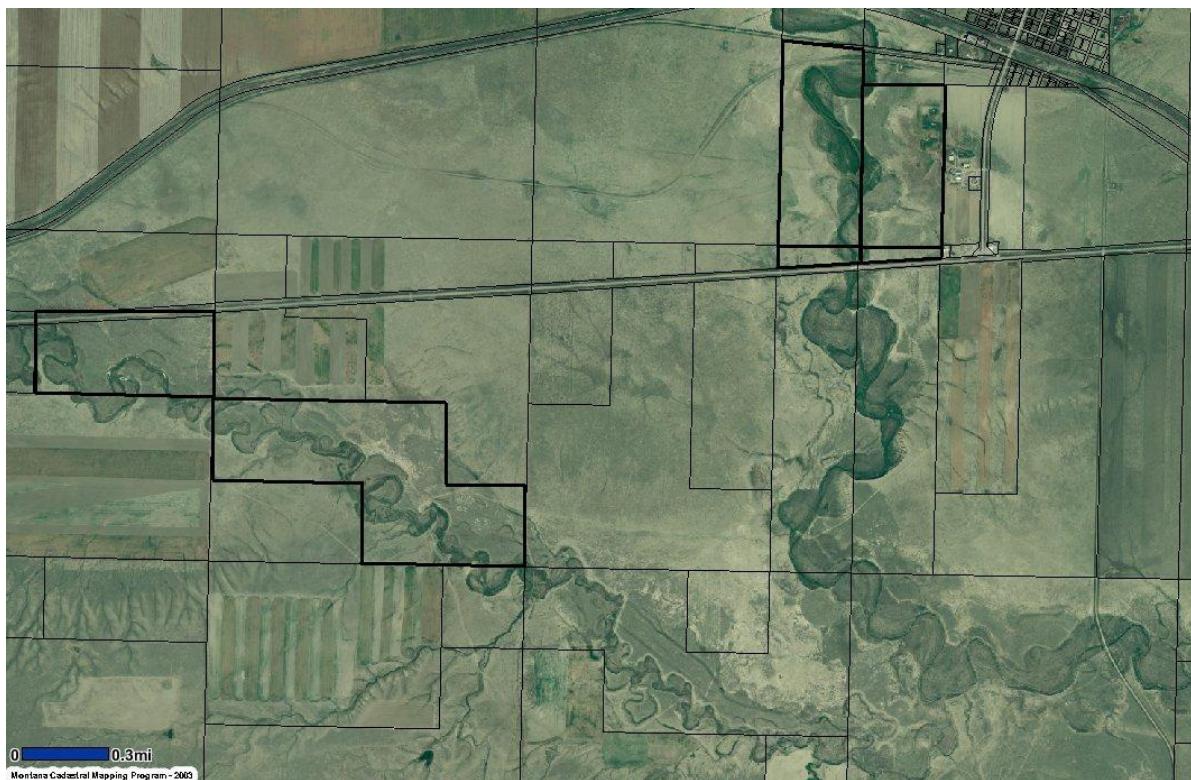
### Nominated Parcels

T31N_R02E_12 (Sale #153)	T31N_R03E_04 (Sale #155)	T31N_R03E_05 (Sale #154)	T31N_R03E_07 (Sale #74)
T31N_R03E_08 (Sale #152)	T31N_R03E_09 (Sale #156)	T34N_R01E_10 (Sale #8)	T34N_R01E_11 (Sale #9)
T34N_R01E_13 (Sale #10)	T34N_R01E_14 (Sale #11)	T34N_R03E_36 (Sale #17)	T36N_R03E_05 (Sale #295)
T36N_R03E_08 (Sale #525)	T37N_R01E_22 (Sale #247)	T37N_R01E_35 (Sale #249)	T37N_R02E_08 (Sale #243)
T37N_R02E_09 (Sale #246)	T37N_R02E_10 (Sale #248)	T37N_R02E_14 (Sale #252)	T37N_R02E_15 (Sale #???)
T37N_R02E_22 (Sale #256)	T37N_R02E_25 (Sale #244)	T37N_R03E_30 (Sale #294)	T37N_R03E_32 (Sale #524)
T37N_R03E_34 (Sale #297)			

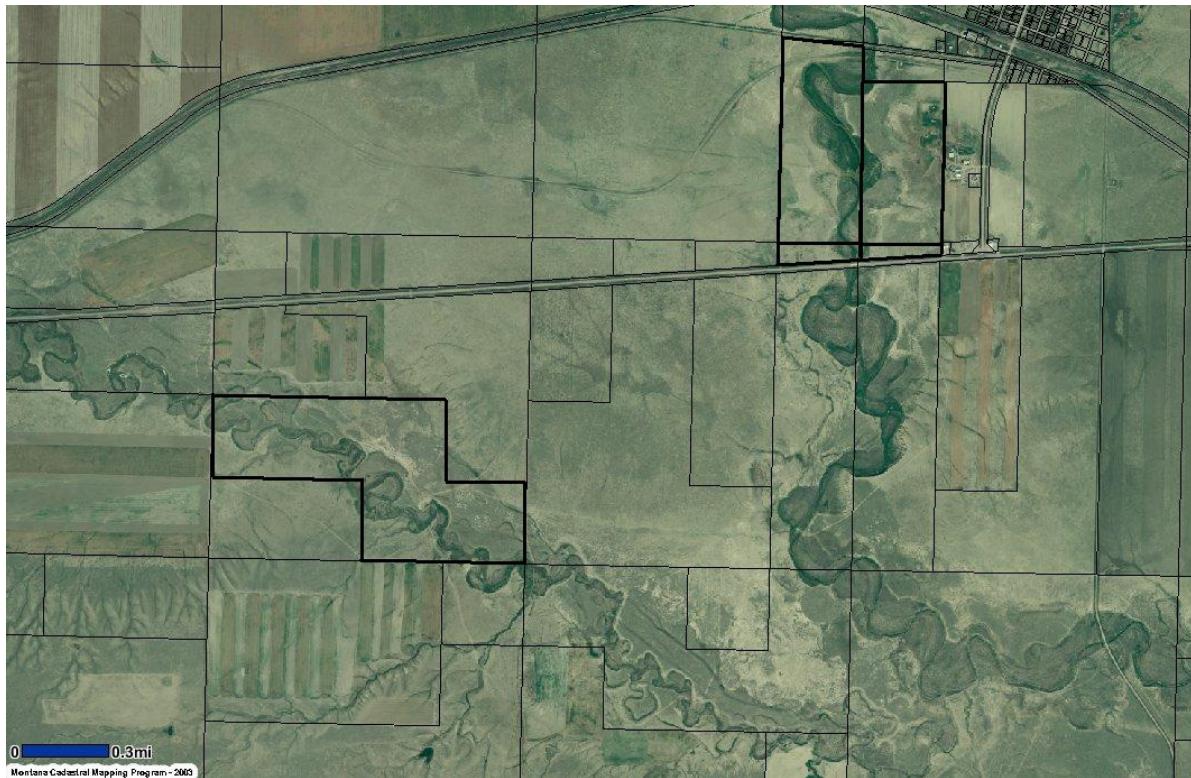
## Toole County Sales



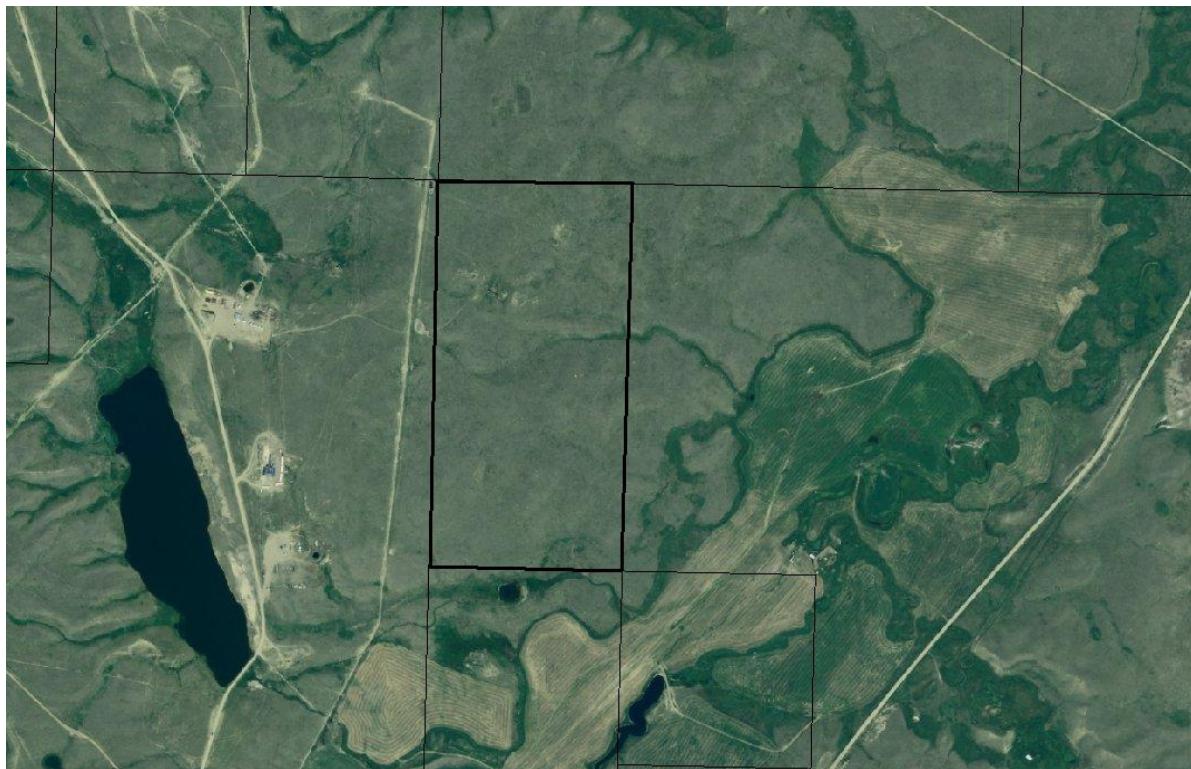
Sale #'s 8, 9, 10 & 11



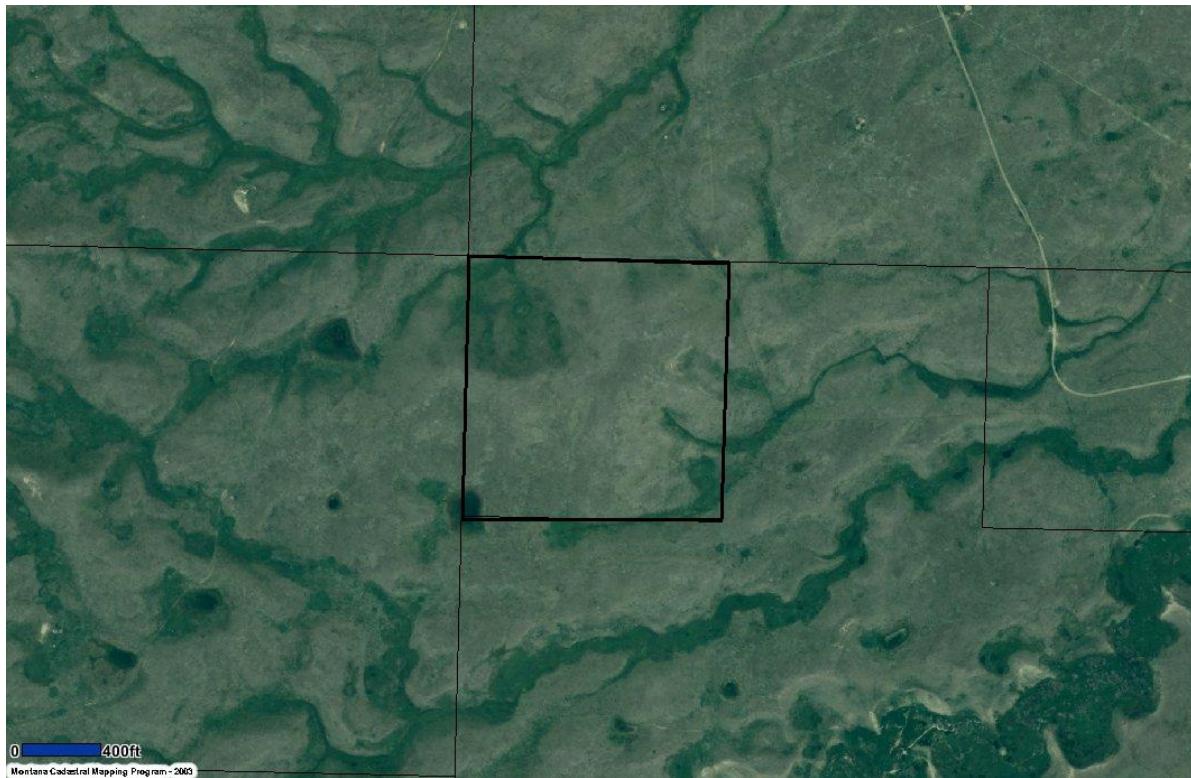
Sale #'s 74, 152, 153, 154, 155 & 156



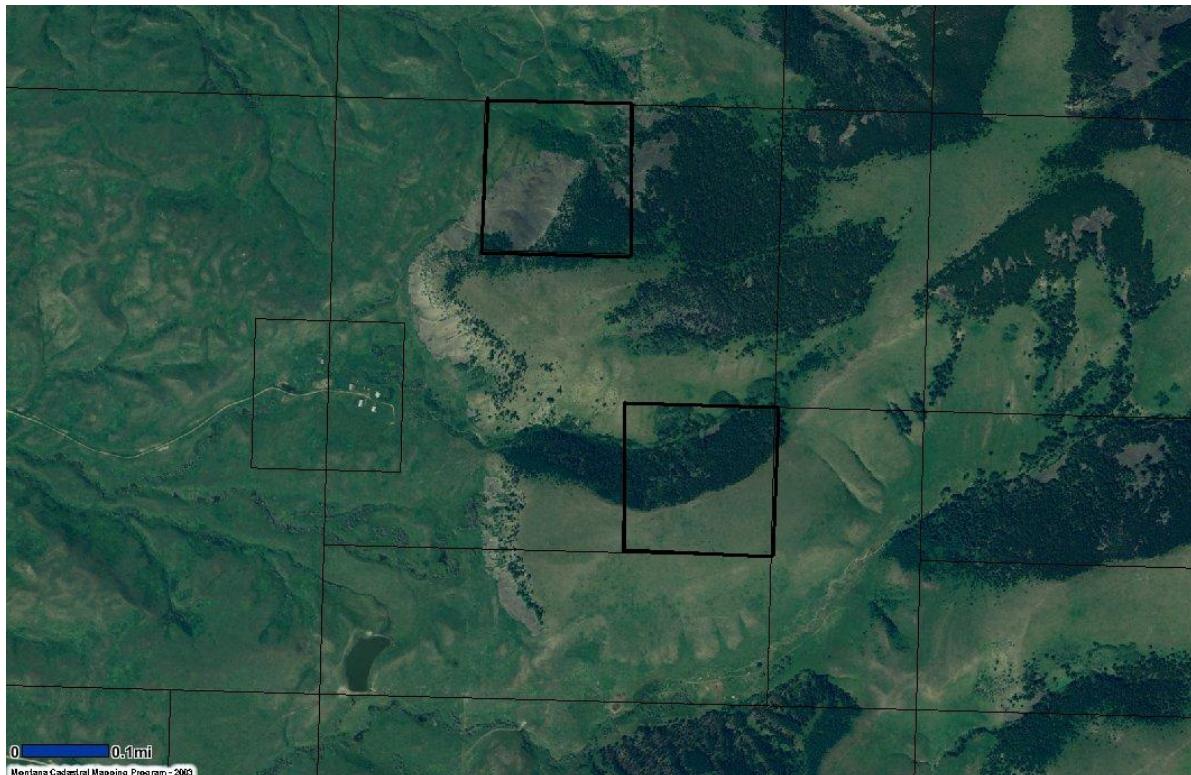
**Sale #'s 243, 246, 248, 252 & 254**



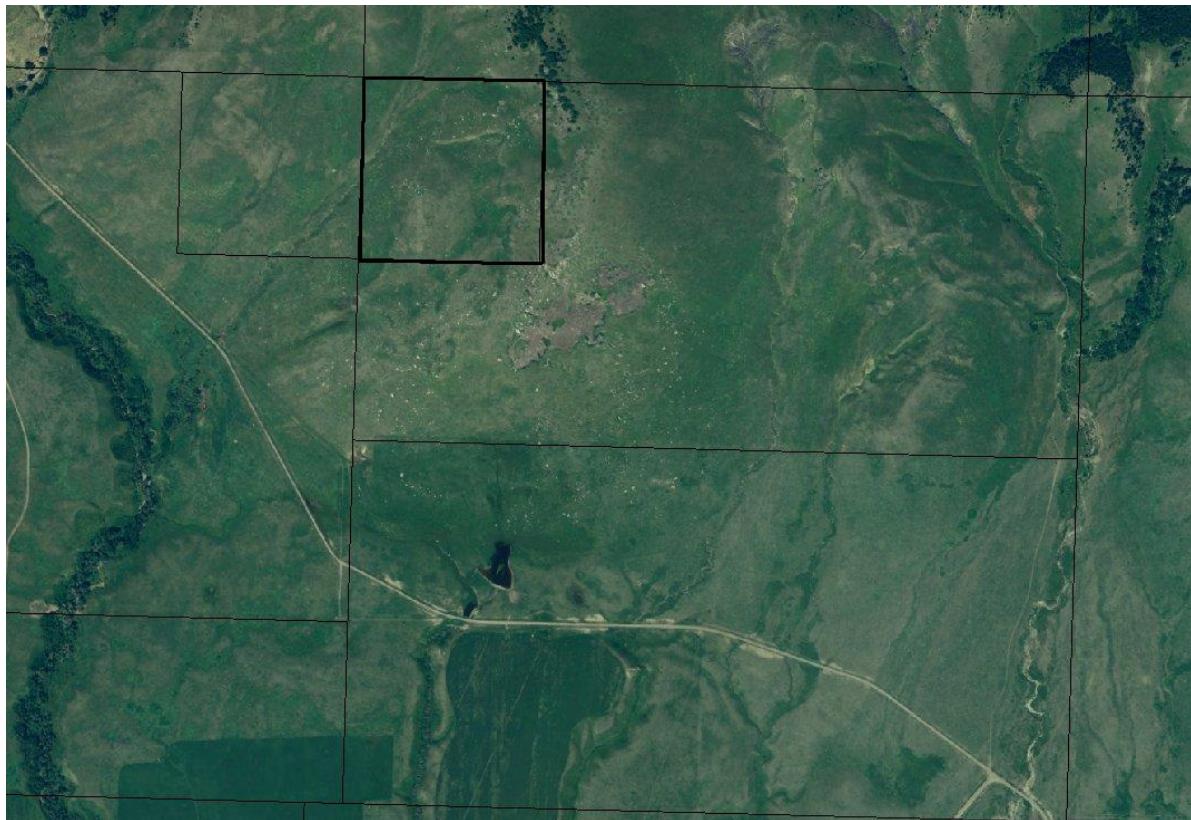
**Sale # 244**



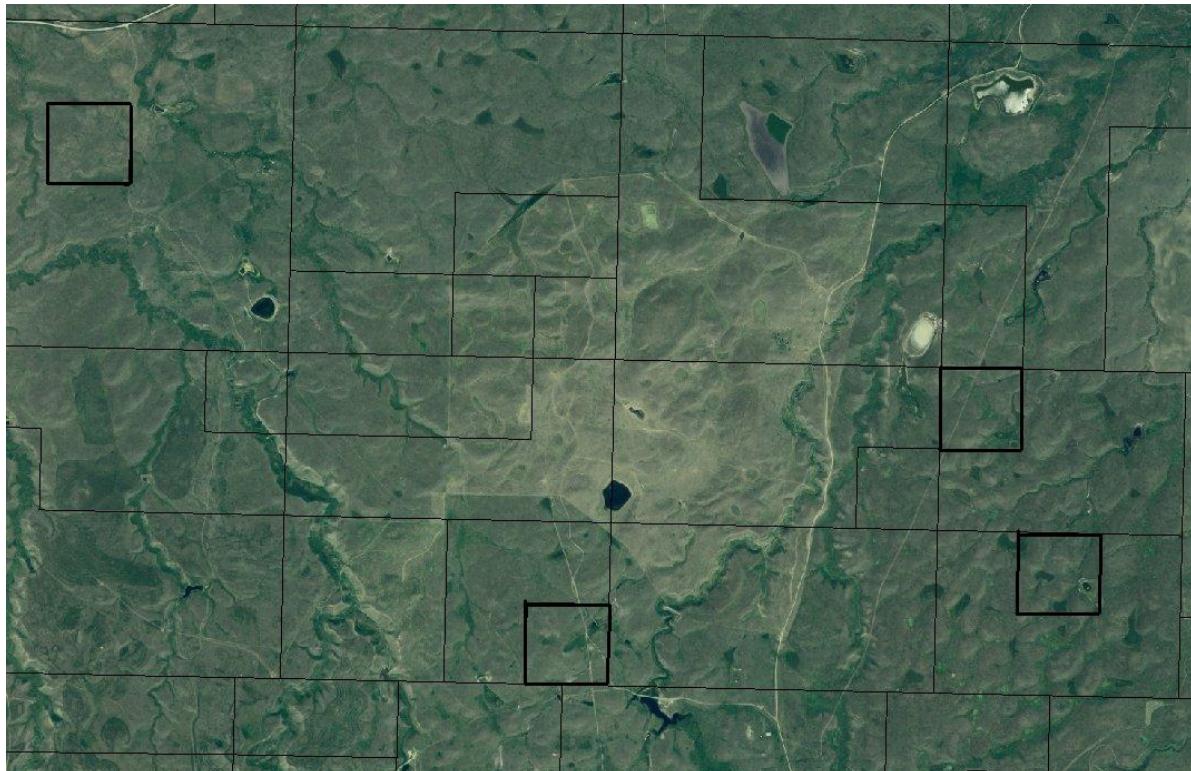
**Sale 256**



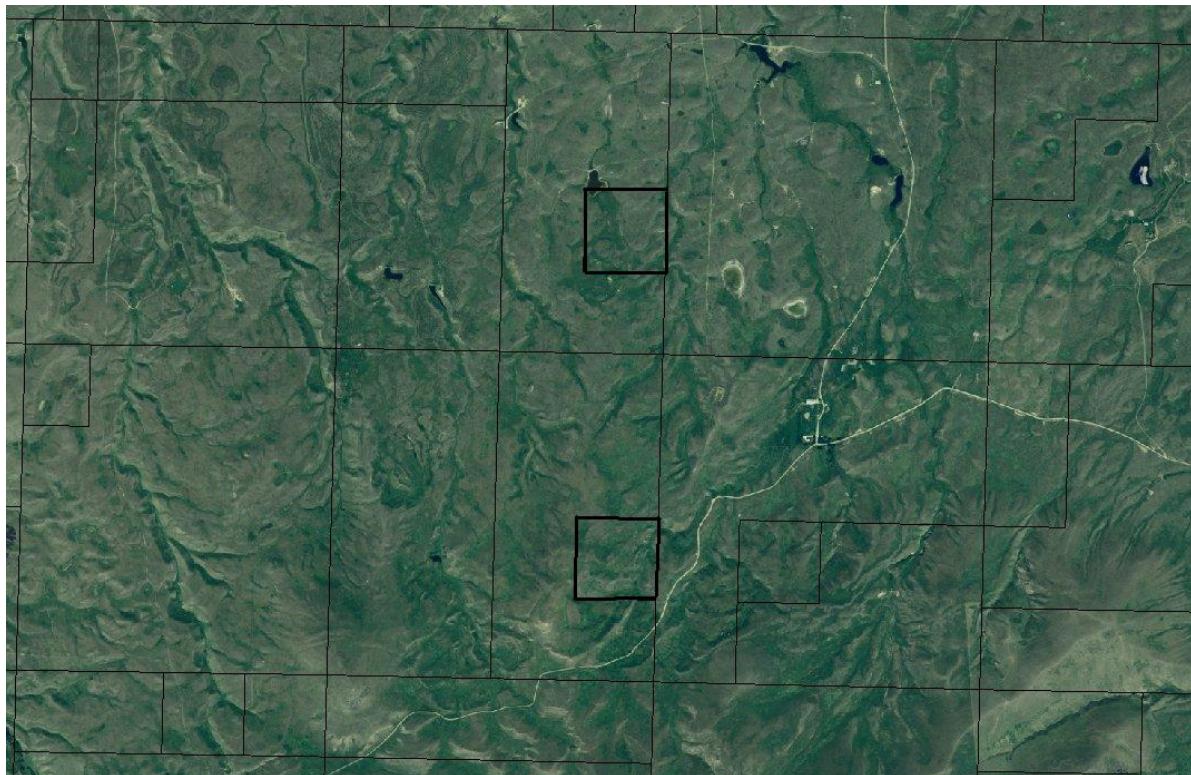
**Sale #'s 247 & 522**



**Sale # 249**



**Sale #'s 294, 297, 523 & 524**



**Sale #'s 295 & 525**